

# TEN-YEAR REVIEW OF SOLID WASTE MANAGEMENT PERMITS

## Department of Environmental Quality

### 2011

#### SUMMARY

The Department of Environmental Quality (DEQ) has conducted a ten-year review of solid waste management permits. There are thirty-one landfill permits in this year's report. Each permit review included both an environmental compliance history review and a review of permit amendments and authorizations. The number of alleged violations ranged from 0 to 118 per facility with the return to compliance ranging from N/A to 118 per facility. The number of major permit amendments (approved and pending) ranged from 0 to 4 per facility.

#### AUTHORITY AND BACKGROUND

The Virginia Waste Management Act § 10.1-1408.1 E. requires DEQ to review and issue written findings on specific aspects of permitted solid waste management facilities at least once every ten years. The same section of the Code addresses amendment or revocation of solid waste management permits based on the required review and findings. The review includes both an environmental compliance history review and a technical review.

#### REVIEW PROCESS

The list of thirty-one facilities has been compiled and verified with the department's regional offices. All but three of the facilities in this report have previously been reviewed; the date of the last review is included in each facility report. Each permit review included both an environmental compliance history review and a review of permit amendments and authorizations. The compliance review period was July 1, 2000 through June 30, 2010, while permit amendments and authorizations approved or pending between the permit issuance date or the last 10-year permit review date to June 1, 2011 was identified.

The environmental compliance history review consists of a compilation of violations as recorded in the agency's Comprehensive Environmental Database (CEDS) during the 10-year compliance review period. DEQ's regional offices conduct periodic regularly scheduled inspections of permitted facilities. Conditions that do not appear to meet current regulatory or permit requirements are noted in the compliance inspection report. Following each inspection, DEQ enters the inspection date, and the alleged violation citation and description into CEDS. The facility is notified of the alleged violation(s) and monitored until it returns to compliance.

The permit amendment and authorization review includes a compilation of permit information since permit issuance or the last 10-year permit review, whichever is later. Permit amendments and authorizations are reviewed and approved in accordance with the state and federal laws, regulations, and guidance. DEQ processes amendments and authorizations from permitted facilities as applications are received. Permit information is also tracked in CEDS. Information includes event dates, such as application receipt and permit issuance. All permit amendments and authorizations have been queried for this report; however, only major amendments were tallied in the Summary Table.

The full compliance and permit information retrieved from CEDS is summarized in each permit's review form.

## COMMENT PROCEDURE

Copies of this report were mailed individually to the facilities that are subject to the review for comment. The report does not discuss the merits of any alleged violations. Concerns about any alleged violation were addressed with regional compliance staff at the time the facility was notified of the alleged violation.

One facility provided comments on the findings for its compliance history. These comments have been addressed and the Summary Table and Compliance History Review Form were updated to reflect return to compliance dates.

## FINDINGS

The findings of the Ten-Year Permit Review are the product of the environmental compliance history review and the review of permit amendments and authorizations. For each landfill, a compilation of compliance history, permit, permit amendment, and permit authorization data was queried from CEDS. The written findings for individual facilities are contained in Appendix 1. The Summary Table shows the number of violations, return to compliance dates, and major amendments (approved and pending) that were queried from CEDS since the last permit review or permit issuance date for each landfill that was reviewed. Regional office staff reviewed and approved the compilation and provided additional comments on facilities. The number of alleged violations ranged from 0 to 118 per facility with the return to compliance ranging from N/A to 118 per facility. The number of major permit amendments ranged from 0 to 4 per facility.

The types of alleged violations for the facilities ranged from paperwork/administrative violations to operations violations. The majority of the alleged violations were corrected and the majority of facilities had returned to compliance at the time of the next inspection.

## AMENDMENT OR REVOCATION OF PERMITS

Under the governing statute, if the Director finds material or substantial violations of the permit are being repeated or that material changes in the permittee's key personnel would make continued operation of the facility not in the best interest of human health or the environment, the Director shall amend or revoke the permit. Also, the Director may amend the permit to include additional limitations, standards or conditions when the underlying standards have been changed by statute or regulation, or as otherwise provided by law. Any permit amendment is subject to the requirements of the Virginia Waste Management Act, Va. Code § 10.1-1400, et seq., and the Administrative Process Act, Va. Code § 2.2-4000, et seq. The Director retains authority to revoke, amend, or suspend permits in accordance with applicable laws and regulations. The Director also retains authority to address violations of statutory, regulatory or permit requirements by order or other remedy, including immediate action as necessary, in appropriate circumstances. Based on these provisions, one permit from each region was chosen for a complete technical and environmental compliance history review. The results of these in depth reviews are not provided in this report.

## Summary Table - Total Alleged Violations and Approved/Pending Major Amendments

Facility Name	Region	Permit Number	Solid Waste Unit Type	Number of		
				Violations from CEDS query	Violations Returned to compliance	Major amendments approved or pending since last review
Nottoway County of-Sanitary Landfill-Blackstone	BRRO-L	SWP304	Sanitary Landfill	40	40	2
First Piedmont Corp	BRRO-L	SWP065	Industrial Landfill	1	1	1
Celanese Acetate LLC	BRRO-R	SWP207	Industrial Landfill	7	7	1
City of Covington Peters Mountain	BRRO-R	SWP594	Sanitary Landfill	46	46	0
MeadWestvaco Packaging Resource Group	BRRO-R	SWP413	Industrial Landfill	2	2	1
MeadWestvaco Packaging Resource Group	BRRO-R	SWP595	Industrial Landfill	1	1	0
Radford Army Ammunition Plant	BRRO-R	SWP433	CDD Landfill	4	4	1
Thomas Brothers Debris Landfill	BRRO-R	SWP445	CDD Landfill	22	22	0
Interstate 95 Landfill	NRO	SWP103	Sanitary Landfill	6	6	1
Lorton CDD Landfill	NRO	SWP331	CDD Landfill	29	29	1
Potomac CDD Landfill	NRO	SWP441	CDD Landfill	68	68	1
King George Landfill & Recycling Center	NRO	SWP586	Sanitary Landfill	29	29	1
Taylor Road Landfill	PRO	SWP270	CDD Landfill	0	0	3
Georgia Pacific Wood Products LLC - Jarratt	PRO	SWP346	Industrial Landfill	6	6	1
623 Landfill	PRO	SWP506	CDD Landfill	24	24	3
East End Landfill <sup>1</sup>	PRO	SWP524	CDD Landfill	118	118	4
Darbytown Road Landfill <sup>2</sup>	PRO	SWP525	CDD Landfill	66	66	1
Waste Management Charles City Landfill	PRO	SWP531	Sanitary Landfill	15	14*	0
American Electric Power - Clinch River Plant	SWRO	SWP223	Industrial Landfill	0	NA	0
Bristol Solid Waste Management Facility	SWRO	SWP498	Sanitary Landfill	2	2	2
Carroll Grayson Galax Regional Landfill	SWRO	SWP508	Sanitary Landfill	15	15	0
Wise County of - Landfill	SWRO	SWP513	Sanitary Landfill	63	63	0
John C Holland Enterprises, Inc.	TRO	SWP280	Industrial Landfill	31	31 <sup>3</sup>	0
Western Refining Yorktown Incorporated	TRO	SWP363	Industrial Landfill	3	3	2
Dominion - Chesapeake Energy Center	TRO	SWP440	Industrial Landfill	3	3	2

<sup>1</sup> LF was bought by current owner in 2007. Prior to this date violations were assessed to the previous owner.

<sup>2</sup> See #1 above

<sup>3</sup> Pending consent order

Facility Name	Region	Permit Number	Solid Waste Unit Type	Number of		
				Violations from CEDS query	Violations Returned to compliance	Major amendments approved or pending since last review
Accomack County - Northern Landfill 2	TRO	SWP461	Sanitary Landfill	39	39	2
SPSA - Boykins Transfer	TRO	SWP484	Transfer Station	1	1	0
Rockingham County of - Sanitary Landfill	VRO	SWP062	Sanitary Landfill	88	88	2
Shenandoah County Landfill - Edinburg	VRO	SWP469	Sanitary Landfill	18	16	2
Federal Mogul Products Inc - Winchester	VRO	SWP527	Industrial Landfill	13	11*	0
Frederick County Landfill	VRO	SWP529	Sanitary Landfill	11	11	3

\* Information on return to compliance dates for violations cited prior to July 1, 2007 may not have been recorded and this information may not have been available for this report.

Region Code:

NRO – Northern Regional Office

PRO – Piedmont Regional Office

TRO – Tidewater Regional Office

BRRO-L – Lynchburg Office

SWRO – South West Regional Office

VRO – Valley Regional Office

BRRO-R - Roanoke Office

## **Appendix 1 – Facility Reviews**

*This appendix is also available as a separate download from the Department's website.*